

## **REMARKS/ARGUMENTS**

### **1.) Claim Amendments**

Claims 2, 4, 7, 31, 33, and 36 have been placed in independent form. By this Response, claims 1, 3, 5, 6, 9, 11, 13-30, 32, 34, 35, 38, and 40 are canceled without prejudice. Applicant respectfully submits no new matter has been added. Accordingly, claims 2, 4, 7, 8, 10, 12, 31, 33, 36, 37, 39, and 41 are pending in the application and are in condition for allowance.

### **2) Claim Rejections – 35 U.S.C. § 112**

Claims 3, 6, 9, 11, 13, 19, 20, 23, 27, 32, 35, 38, and 40 are rejected under 35 USC. 112, second paragraph, as failing to *set* forth the subject matter which applicant(s) regard as their invention. Claims 14-18, 21, 22, and 24-26 are also rejected because they directly or indirectly depend on claim 13 and include the limitations thereof.

This rejection is deemed moot since the claims at issue have been canceled without prejudice.

### **3.) Claim Rejections – 35 U.S.C. § 102(e)**

Claims 1, 6, 13, 20, 25, 26, 30, and 35 are rejected under 35 USC 102(e) as being anticipated by Flanagan, et al. (US 2002/0105909, hereafter Flanagan).

This rejection is deemed moot since the claims at issue have been canceled without prejudice.

### **4.) Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 3 and 32 are rejected under 35 USC 103(a) as being unpatentable over Flanagan as applied to claim 1 above, and further in view of Schuster et al. (US 6,363,053 B1, hereafter Schuster).

Claims 5 and 34 are rejected under 35 USC 103(a) as being unpatentable over Flanagan as applied to claims 1 and 30 respectively above, and further in view of Riggan, et al. (US 6,490,252 B1, hereafter Riggan).

This rejection is deemed moot since the claims at issue have been canceled without prejudice.

**5.) Allowable Subject Matter**

The Applicant notes with appreciation the conditional allowance of claims 2, 4, 7, 8, 10, 12, 31, 33, 36, 37, 39, and 41 which the Examiner has objected to as being dependent upon a rejected base claim, but stated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As the Examiner has suggested, claims 2, 4, 7, 31, 33, and 36 have been rewritten in independent form including all limitation of the base claims and any intervening claims. Claims 8, 10, 12, 37, 39, and 41 are allowable at least by virtue of depending from their respective base claims. Therefore, no amendments have been made to narrow the scope of the pending claims or to create any sort of estoppel.

**CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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